

TEMPORARY

TEMPORARY

No. 71150-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 30 2004

Returned to applicant for correction MAY 11 2004

Corrected application filed _____

Map filed JUN 15 2004 under 71018

The applicant **Roy and Lisa Shurtz**, hereby make application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Edwards Decree Claim No. 00361, Smith Creek, Humboldt River Adjudication.**

1. The source of water is **Smith Creek**
2. The amount of water to be changed **284.82 AFA-with a pro-rata share of diversion rate**
3. The water to be used for **As Decreed**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T30N, R56E, M.D.M., or at a point from which the NW corner of said Section 36 bears N 24°24'23"W, a distance of 1518.78 feet. Refer to supporting map filed with this application.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T30N, R57E, M.D.M. Refer to Smith Creek, Merkley and Young ditches under Claim No. 00361 under the Humboldt River Decree Proof Maps.**
7. Proposed place of use **See Exhibit "A" attached and supporting map filed with this application.**
8. Existing place of use **See Revised Exhibit "B" attached. Refer to the Humboldt River Decree**
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works. **Lockable and adjustable headgate for flood-irrigation ditch system to proposed place of use.**
12. Estimated cost of works **\$5,000.00+/-**
13. Estimated time required to construct works **One (1) Year**
14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**

71150-T

15. Remarks:

By SUZAN L. FERGUSON - AGENT

s/Suzan L. Ferguson

SUMMIT ENGINEERING - 5405 MAE ANNE AVE.

RENO, NEVADA 89523

AGENT
WITHDRAWN BY ~~AGENT~~ AUG 16 2004

Compared jm/sam

L. Ricci, P.E. STATE ENGINEER

Protested _____

EXHIBIT A**PROPOSED PLACE OF USE
WITHIN PORTIONS OF THE FOLLOWING:**

QUARTER/QUARTER	SECTION	TOWNSHIP	RANGE
NE SE SE SE	34	TOWNSHIP 30 NORTH	RANGE 56 EAST, M.D.M.
SW NE SE NE NW SE NE SE NW SW NE SW SW SW SE SW	35	TOWNSHIP 30 NORTH	RANGE 56 EAST, M.D.M.
NW NW SW NW	36	TOWNSHIP 30 NORTH	RANGE 56 EAST, M.D.M.

Note: All proposed places of use within the existing decreed acreages.

CLAIM NO. 00361 – 126.86 ACRES

CLAIM NO. 00397 - 12.03 ACRES

COMB. TOTAL OF 138.89 ACRES

EXHIBIT B
Existing Place of Use
The Edwards Decree
Claim 00361
Claimant-Merkley & Young
Source-Smith Creek Ditch-Merkley & Young Ditches

Priority	Harvest	Meadow Pasture	Diversified Pasture					
1868	45.00	-----	-----		SE 1/4 NW 1/4	26	30	56
1869	5.00	-----	-----		S 1/2 NE 1/4	26	30	56
1870	5.00	-----	-----		S 1/2	26	30	56
1871	40.10	-----	-----		S 1/2 NW 1/4	25	30	56
1872	91.80	-----	-----		S 1/2	25	30	56
1872	-----	-----	14.50		E 1/2 NW 1/4	35	30	56
1873	119.60	-----	-----		NE 1/4	35	30	56
1874	10.00	-----	-----		S 1/2	35	30	56
1875	60.70	-----	-----		W 1/2	36	30	56
1876	60.70	-----	-----		NE 1/4	36	30	56
1877	-----	-----	19.20		NW 1/4 SE 1/4	36	30	56
1878	20.00	-----	-----		NE 1/4	2	29	56
1886	59.70	-----	-----		W 1/2 NW 1/4	1	29	56
1887	57.70	-----	-----		-----	---	---	---
1888	57.50		-----		-----	---	---	---
1889	22.70	-----	-----		-----	---	---	---
1890	265.60	-----	-----		-----	---	---	---
1891	41.40	-----	-----		-----	---	---	---
1892	13.90	-----	-----		-----	---	---	---
1893	13.90	-----	-----		-----	---	---	---
1893	-----	-----	66.00		-----	---	---	---
1893	-----	-----	35.00		-----	---	---	---
1894	-----	-----	126.00		-----	---	---	---
1894	-----	-----	148.30		-----	---	---	---
1900	-----	-----	63.30		-----	---	---	---
1904	7.00	-----	-----		-----	---	---	---
1894	-----	-----	117.50		-----	---	---	---
1894	-----	-----	20.00		-----	---	---	---